

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF WISCONSIN

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JAMES EDWARD GRANT,

Petitioner,

ORDER

v.

08-cv-746-slc

DAVID J. MAHONEY, KENNETH MCNEAL,  
S. KOWALSKI and DOCTOR ALI,

Respondents

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JAMES EDWARD GRANT,

Petitioner,

ORDER

v.

08-cv-749-slc

JOSEPH E. MIMIER, MARLYS HOWE  
and KENNETH MCNEIL,

Respondents.

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Petitioner James Grant, a prisoner at the Dodge Correctional Institution in Waupun, Wisconsin, has submitted proposed complaints in these cases. He asks for leave to proceed *in forma pauperis*. Because petitioner is a prisoner, he is subject to the 1996 Prisoner Litigation Reform Act. This means that before this court may decide whether he can proceed with his complaint *in forma pauperis*, petitioner will have to make initial partial payments of the \$350 filing fees in the amount of \$.85 and the remainder of the fees in monthly installments even if his request for leave to proceed is denied. If petitioner does not have the money to make the

initial partial payments in his regular account, he will have to arrange with prison authorities to pay some or all of the assessments from his release account. This does not mean that petitioner is free to ask prison authorities to pay *all* of his filing fee from his release account. The only amount petitioner must pay at this time is the \$.85 initial partial payments. Before prison officials take any portion of that amount from petitioner's release account, they may first take from petitioner's regular account whatever amount up to the full amount petitioner owes.

ORDER

IT IS ORDERED that petitioner is assessed \$.85 initial partial payments of the \$350 fees for filing these cases. He is to submit a check or money order made payable to the clerk of court on or before January 19, 2009. If, by January 19, 2009, petitioner fails to make the initial partial payments or show cause for his failure to do so, he will be held to have withdrawn these actions voluntarily. In that event, the clerk of court is directed to close these files without prejudice to petitioner's filing his cases at a later date.

Entered this 31<sup>st</sup> day of December, 2008.

BY THE COURT:

/s/

STEPHEN L. CROCKER  
Magistrate Judge